

Docket Rm: 222

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WASHINGTON, D.C. 20554

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IN REPLY REFER TO:

7310-15-1700A1

93-61

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable John Linder
House of Representatives
1605 Longworth House Office Building
Washington, D.C. 20515-1004

Dear Congressman Linder:

This is in response to your letter dated November 10, 1993, requesting information regarding an FCC rule making proceeding concerning use of the 902-928 MHz band. Your inquiry was prompted by correspondence from your constituent, Mr. P. Stuckey McIntosh, Chairman of Gambette Digital Wireless, expressing concern about the future availability of this frequency band for use by manufacturers and users of Part 15 devices. The following is a brief description of the use of the 902-928 MHz band and a brief summary of the Notice of Proposed Rule Making adopted in this proceeding.

The 902-928 MHz band is shared by various user groups. In order to effectively manage the shared use of this spectrum, priorities for access to this band have been established among these groups. Users with lower priority must accept interference from and may not cause interference to users that have a higher priority. The 902-928 MHz band is primarily allocated for use by the Federal Government for Radiolocation, Fixed and Mobile services; these Federal Government users must, however, accept interference from Industrial, Scientific, and Medical (ISM) devices. Following both the Federal Government and ISM devices on the priority scale are Automatic Vehicle Monitoring (AVM) systems. Next are Amateur radio operators and finally, Part 15 users that are eligible to operate in this band. Because they have the lowest priority, Part 15 users must accept interference from and are not permitted to cause interference to any of the other users in this band. The order of priorities for users of this band has been in effect for nearly 20 years.

In PR Docket No. 93-61 the FCC has proposed certain changes to rules pertaining to AVM systems operating in the 902-928 MHz band. See, Notice of Proposed Rule Making, PR Docket No. (93-61) 8 FCC Rcd 2502 (1993). Uses for AVM systems include locating and tracking fleets of vehicles, locating stolen vehicles, alerting authorities to emergencies, automated toll collection, and freight tracking. Currently, such systems are licensed in the 904-912 and 918-926 MHz sub-bands. In PR Docket No. 93-61 the Commission proposes that such systems be licensed throughout the entire 902-928 MHz band and that they be permitted to locate persons as well as vehicles. The Commission also recognizes the difficulty various users, including your constituent, may have in sharing this band and have therefore requested comment on ways that sharing may be more easily facilitated. The Commission has not, however, proposed any

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Honorable John Linder

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changes in the status of or restrictions on the use of Part 15 devices in this band at this time.

Approximately 85 entities filed extensive comments expressing their viewpoints on how to resolve the various and complex issues raised in the Notice. Many commenters' views differ in a number of respects from those offered by the Commission, and the Commission gives full consideration to the views expressed by all interested parties. We are currently preparing a Report and Order that will establish the Commission's rules and policies with regard to AVM systems and hope to announce the adoption of this Report and Order in the near future.

I thank you for your interest in this matter. I trust this is responsive to your concerns.

Sincerely,

A handwritten signature in cursive script that reads "Beverly H. Baker".

Ralph A. Haller
Chief, Private Radio Bureau

JOHN LINDER
4TH DISTRICT, GEORGIA

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Congress of the United States
House of Representatives
Washington, DC 20515-1004

November 10, 1993

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COMMITTEES:
BANKING, FINANCE AND
URBAN AFFAIRS
SCIENCE, SPACE, AND
TECHNOLOGY
VETERANS' AFFAIRS

Mr. James Quello
Chairman
Federal Communications Commission
Room 802
1919 M Street, NW
Washington, D.C. 20554

Dear Mr. Quello:

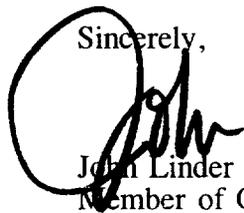
This is in regard to a letter I received from one of my constituents, P. Stuckey McIntosh of Atlanta, Georgia.

Mr. Stuckey has written to me to express his concern with proposed Federal Communications Commission (FCC) rulemaking that would expand the current interim rules regarding automatic vehicle and location monitoring in the 900 MHz band.

I have enclosed Mr. Stuckey's letter for your review. I would appreciate your giving his letter careful consideration and would be grateful for any information or comments you may have on this issue.

I appreciate your attention to this matter and look forward to hearing from you.

Sincerely,



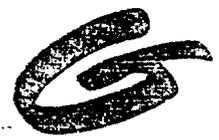
John Linder
Member of Congress

JL:csr

Gambatte Digital Wireless
1442 Tullie Road, NE
Atlanta, GA 30329 USA
Tel: (404) 325-4843 Fax: (404) 315-6809

October 28, 1993

John Linder
United State House of Representatives
Longworth HOB 1605
Washington, D.C. 20515



Dear Mr. Linder,

Founded in 1987, Gambatte is one of the oldest developers of spread spectrum products and technologies for consumer and commercial applications. Gambatte's technical expertise spans many disciplines: spread spectrum communications systems, RF design, receiver and transmitter design, digital communications, digital hardware, software, digital audio, telephony, and antenna design.

Several years ago the FCC encouraged entrepreneurial companies, like ours, to develop state-of-the-art technologies to operate "license-free" in the 900 MHz Part 15 band. Our company responded and today we employ 25 people in the district working directly on research, development, engineering and manufacturing of products based on U.S. technology. Now the FCC proposes to change the rules to the disadvantage of U.S. technology manufacturing firms and to the direct benefit of foreign technology and foreign manufacturers.

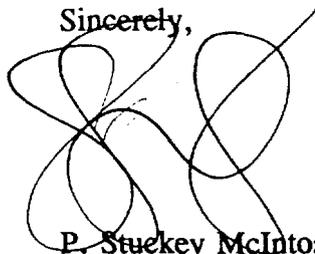
The FCC proposes to permit PacTel Teletrac to deploy high-powered, licensed technology (foreign developed) in over 60% of the spectrum currently occupied by Part 15 equipment. These changes, if implemented, will cause mutual interference to all Part 15 users as well PacTel customers. This interference will have a chilling effect on our marketplace and a corresponding effect on our business.

The Part 15 industry is made up generally of small U.S. domestic telecommunications manufacturing companies. It represents, nationwide, over 2 billion dollars in R&D investment, manufacturing and sales. The Commission's proposed action will seriously undermine this domestic industry. The impact on our company alone could result in loss of sales, reduction in work force, loss of existing R&D investment and loss of access to future capital.

DATE	11/4/93
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COMMENTS	FCC

In view of the importance of these issues, we request you contact the Chairman and Commissioners of the FCC and express your concern over this needless disruption of a vital industry. For your convenience, I've taken liberty to enclose a draft which you may wish to use.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

P. Stuekey McIntosh
Chairman

cc: Buck Clonts

enclosure